

CLERKS OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF VIRGINIA
Lynchburg Division

5/15/2023

LAURA A. AUSTIN, CLERK
BY: s/ ARLENE LITTLE
DEPUTY CLERK

WALTER SCOTT LAMB,)
Counterclaim Defendant,) Case No. 6:21-cv-00055
v.) Hon. Norman K. Moon
LIBERTY UNIVERSITY, INC.,)
a Virginia corporation,)
Counterclaim Plaintiff.)

SEALING ORDER

This matter comes before the Court, pursuant to Local Rule 9, on the motion of Counterclaim Defendant Walter Scott Lamb's to file under seal certain exhibits to Lamb's response to Liberty University, Inc.'s motion to dismiss under Rule 41.

The Court previously entered a protective order allowing the parties to designate certain materials as "Confidential" for purposes of this litigation. ECF Doc. 94. The order states, in relevant part:

The Party wishing to file the materials shall move to file those materials under seal. The Producing Party shall have the burden of justifying that the materials must be submitted under seal. Absent written permission from the Producing Party or a court Order denying a motion to seal, a Receiving Party may not file in the public record any Protected Material. The parties understand and agree that documents may be filed under seal only with the permission of the Court after proper motion in compliance with the procedures set forth in Local Civil Rule 9.

ECF Doc. 94 ¶ 10(a) (emphasis added).

Liberty University, Inc., has filed a motion to dismiss its counterclaim pursuant to Rule 41(a)(2). ECF Doc. 156. This Court has authorized Lamb to respond. ECF Doc. 158. Lamb has identified the following exhibits to its response as containing records received in discovery designated by Liberty University, Inc. as "Confidential," and that the parties were not able to reach an agreement concerning these records.

- Exhibit 7 – LU-6820 to -6822

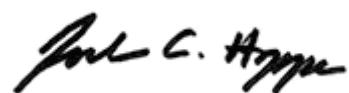
- Exhibit 9 – LU-7207
- Exhibit 11 – LU-4087 to -4088, -4177 to -4178, -5880 to -5889, -6039 to -6040, -6042, -6044 to -6060, -6073 to -6074, -6087 to -6090, -6103 to -6106, -6142 to -6143, -6148 to -6149, -6474 to -6476, -6478 to -6480, -6483 to -6487, -6507 to -6511
- Exhibit 16 – LU-6153 to -6165
- Exhibit 19 – LU-4194 to -4196, -4297 to -4310, -4911 to -4912, -4953, -5966 to -6004
- Exhibit 21 – LU-6005 to 6033
- Exhibit 23 – LU-4188, -4500 to -4501, -6053 to -6054, -6512, -7133 to -7135
- Exhibit 26 – LU-6053 to -6054, -7036 (audio), -7133 to -7135
- Exhibit 27 – LU-328, -330, -542, -864 to -865, -867 to -868, -957, -6781 to -6785
- Exhibit 31 – 4372, -4374 to -4375, -4377 to -4379, -4412, -6169 to -6172, -6275 to -6280, -6376 to -6377
- Exhibit 32 – LU-3744 at -3747, -5768, 6426 to -6427, -6568, -6576 to -6582
- Exhibit 34 – LU-4568 to -4572
- Exhibit 36 – LU-3750 to -3755, -4521 to -4526, -4570, -4605 to -4606, -4608 to -4614, -4897 to -4900, -6590 to -6591
- Exhibit 39 – LU-13 to -14, -17 to -27, -31 to -33, -3726
- Exhibit 40 – LU-34 to -35
- Exhibit 42 – LU-4617, -6590 to -6591
- Exhibit 44 – LU-5824
- Exhibit 45 – LU-7283 to -7284

Therefore, this Court finds there is good cause and grants Lamb's motion to file these records under seal for 28 days from the date of this order. Liberty University, Inc. may file a

reply to this motion to seal within 14 days of this order justifying why the materials should remain under seal beyond those 28 days, and Lamb has 7 days thereafter to reply. The records shall remain under seal pending further order of the Court.

IT IS SO ORDERED

Entered: May 15, 2023

A handwritten signature in black ink, appearing to read "John C. Hogue".

Judge